

## **§ 122.210**

occurred or nearest the port of first arrival, as soon as practicable after the damage occurs.

### **§ 122.210 Alcohol or drug use by individuals directly involved in casualties.**

(a) For each marine casualty required to be reported by § 122.202, the owner, agent, master, or person in charge of the vessel shall determine whether there is any evidence of alcohol or drug use by individuals directly involved in the casualty.

(b) The owner, agent, master, or person in charge of the vessel shall include in the written report (Form CG-2692), submitted for the casualty information which:

(1) Identifies those individuals for whom evidence of drug or alcohol use, or evidence of intoxication, has been obtained; and

(2) Specifies the method used to obtain such evidence, such as personal observation of the individual, or by chemical testing of the individual.

(c) An entry must be made in the Official Logbook, if carried, pertaining to those individuals for whom evidence of intoxication is obtained. The individual must be informed of this entry and the entry must be witnessed by a second person.

(d) If an individual directly involved in a casualty refuses to submit to, or cooperate in, the administration of a timely chemical test, when directed by a Coast Guard commissioned, warrant, or petty officer, or any other law enforcement officer authorized to obtain a chemical test under Federal, State, or local law, or by the owner, agent, master, or person in charge, this fact must be noted in the official Logbook, if carried, and in the written report (Form CG 2692), and will be admissible as evidence in any administrative proceeding.

### **§ 122.212 Mandatory chemical testing following serious marine incidents.**

A marine employer whose vessel is involved in a casualty or incident that is, or is likely to become, a serious marine incident as defined in § 4.03-2 in subchapter A of this chapter shall comply with the requirements of § 4.06 in subchapter A of this chapter.

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### **§ 122.220 Records of a voyage resulting in a marine casualty.**

The owner, agent, master, or person in charge of any vessel involved in a marine casualty for which a report is required under § 122.202 shall retain all voyage records maintained by the vessel, including rough and smooth deck and engine room logs, bell books, navigation charts, navigation work books, compass deviation cards, gyrocompass records, stowage plans, records of draft, aids to mariners, night order books, radiograms sent and received, radio logs, crew and passenger lists and counts, articles of shipment, official logs, and other material that might be of assistance in investigating and determining the cause of the casualty. The owner, agent, master, other officer, or person responsible for the custody thereof, shall make these records available upon request, to a duly authorized investigating officer, administrative law judge, officer or employee of the Coast Guard.

### **§ 122.230 Report of accident to aid to navigation.**

Whenever a vessel collides with a buoy, or other aid to navigation under the jurisdiction of the Coast Guard, or is connected with any such collision, the person in charge of such vessel shall report the accident to the nearest OCMI. No report on Form CG 2692 is required unless otherwise required under § 122.202 of this part.

### **§ 122.260 Reports of potential vessel casualty.**

(a) An owner, charterer, managing operator, or agent of a vessel shall immediately notify either of the following Coast Guard offices if there is reason to believe the vessel is lost or imperiled:

(1) The Coast Guard district rescue coordination center (RCC) cognizant over the area in which the vessel was last operating; or

(2) The Coast Guard search and rescue authority nearest to where the vessel was last operating.

(b) Reasons for belief that a vessel is in distress include, but are not limited to, lack of communication with or non-appearance of the vessel.